



IN THE MATTER OF:

MATTHEW VASSIL

And

GLENBARD TOWNSHIP HIGH SCHOOL DISTRICT. #87

CASE # 2007-0310

### CLARIFICATION DENIAL

On October 25, 2007, the decision following the Due Process Hearing in the above captioned matter was mailed to the Parties required by statute by the required mail-that is certified mail. A courtesy copy was sent by fax to the two attorneys representing the Parties. The certified mail return indicates the decision was received by the last party on October 29, 2007. In the meantime, it appears an e-mail was sent to the Hearing Officer from the Student's attorney at 10: 56PM Friday night seeking what purports to be a clarification, but is in reality a request for an additional ruling on a much broader question than was necessary for a remedy for this particular Student. The e-mail, coming at almost midnight on a Friday night, was not opened until October 29, 2007, Monday. No hard copy has been received to date by the Hearing Officer, either by mail or by fax. This refusal to expand the decision was done and mailed late on November 3, 2007 to the Parties.

The purported clarification asks for a ruling on whether placements such as PACE, Elmhurst College, COD etc. are within the ambit of IDEIA. It is alleged that this was a "threshold" issue in the Due Process Hearing and requests an express legal finding.

The Hearing Officer does not agree that any specific finding on this question is necessary to the decision or its implementation. The issues identified at the pre/hearing conference were each answered in the opinion, and the order is more than clear and flexible enough to allow the Parties to craft and implement a program for the Student that addresses his educational needs under IDEIA. It is also clear enough to allow ISBE to enforce it. Any additional findings would exceed the authority of the hearing officer and be mere dicta, unnecessary to provide relief to this Student.

The request for any additional findings is denied.

A handwritten signature in black ink, appearing to read "Julia Quinn Dempsey", written over a horizontal line.

JUDGE JULIA QUINN DEMPSEY  
IMPARTIAL DUE PROCESS HEARING OFFICER

ENTER: November 3, 2007

